

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

GLENN S. BATES,
Plaintiff

v.

CHRISTOPHER KENDER and
BARRY MITCHELL
Defendants

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)
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) C.A. NO. 05-10489-NMG
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PLAINTIFF'S SUPPLEMENTAL WITNESS AND EXHIBIT LIST

Plaintiff Glenn Bates hereby proposes to supplement his witness and exhibit lists that were filed with the pre-trial memorandum yesterday. The reason for the addition of these witnesses is for one purpose only: to retrieve the exhibits entered at the Plaintiff's criminal trial which gave rise to this action and, more particularly, to obtain for use at this trial the hockey stick claimed by the police to be the weapon Plaintiff used to assault Defendants. It is presently unknown whether these exhibits are within the possession of the Harwich Police Department, Barnstable Superior Court, or the Barnstable District Attorney.

SUPPLEMENTAL WITNESSES

- (1) Keeper of Records
Harwich Police Department
183 Sisson Road
Harwich, MA 02645
- (2) Keeper of Records
Criminal Clerk's Office
Barnstable Superior Court
3195 Main Street
Barnstable, MA 02630

- (3) Keeper of Records
Office of the District Attorney
Cape & Islands District
3231 Main Street
Barnstable, MA 02630

SUPPLEMENTAL EXHIBIT LIST

1. Hockey Stick entered as exhibit at Plaintiff's underlying criminal trial.

WHEREFORE, Plaintiff submits the foregoing supplemental exhibit and witnesses for trial.

Respectfully submitted,

GLENN BATES,

/s/ Timothy J. Perry
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CERTIFICATE OF SERVICE

I hereby certify that on this date a true copy of the above document was served upon the counsel of record via the ECF filing system of the US District Court for the District of Massachusetts.

Dated: February 15, 2008

/s/ Timothy J. Perry
Timothy J. Perry